

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TERRANCE LAMONT REED,

Plaintiff,

v.

Civil Action No. **3:23CV839**

UNKNOWN,

Defendant.

MEMORANDUM OPINION

By Memorandum Opinion and Order entered on March 26, 2024, the Court dismissed the action without prejudice because Plaintiff failed to pay the initial partial filing fee of \$0.81 or state under penalty of perjury that he did not have sufficient assets to pay the initial partial filing fee. (ECF Nos. 8, 9.) On January 2, 2025, the United States Court of Appeals for the Fourth Circuit vacated that decision and remanded the matter to this Court “with instructions to grant [Plaintiff] additional time to either pay the initial filing fee or affirm his inability to do so.” (ECF No. 14, at 3.) On January 24, 2024, the Fourth Circuit issued its mandate.

Accordingly, by Memorandum Order entered on January 29, 2025, the Court directed Plaintiff, within thirty (30) days from the date of entry thereof, to pay the initial partial filing fee or state under penalty that he is unable to do so. The Court warned Plaintiff that the failure to respond will result in the dismissal of the action. *See* Fed. R. Civ. P. 41(b).

More than thirty (30) days have elapsed, and Plaintiff has not responded to the January 29, 2025 Memorandum Order. Accordingly, the action will be **DISMISSED WITHOUT PREJUDICE**.

An appropriate Final Order shall accompany this Memorandum Opinion.

Date: 17 March 2025
Richmond, Virginia

<div style="display: flex; align-items: center; justify-content: center;"><div style="text-align: right; margin-right: 10px;">/s/</div><div style="font-family: cursive; font-size: 1.5em; color: blue;">JAG</div></div> <div style="text-align: center; margin-top: 5px;">John A. Gibney, Jr. Senior United States District Judge</div>
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